

Exhibit 1

DR. TRACY ANDRUS - January 23, 2025

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTER DISTRICT OF TEXAS
MARSHALL DIVISION

KAREN LESTER,)	
)	
Plaintiff,)	
)	Case No.
)) 2:23-CV-00624
vs.))
)	
WILEY COLLEGE,)	
)	
Defendant.)	
)	

ORAL VIDEOTAPED DEPOSITION OF
DR. TRACY ANDRUS
JANUARY 23, 2025

ORAL VIDEOTAPED DEPOSITION OF DR. TRACY ANDRUS, produced as a witness at the instance of the Plaintiff, and duly sworn, was taken in the above-styled and numbered cause on January 23, 2025, from 10:30 a.m. to 11:03 a.m., Nilda Codina, Notary in and for the State of Texas, recorded by machine shorthand, remotely from Wiley University, 711 Wiley Avenue, Marshall, Texas, 75670, pursuant to the Federal Rules of Civil Procedure, and the provisions stated on the record or attached hereto.

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A-P-P-E-A-R-A-N-C-E-S

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ALSO PRESENT: Joseph Moore, Videographer

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E-X-H-I-B-I-T-S

(None admitted.)

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1 P-R-O-C-E-E-D-I-N-G-S

2 THE VIDEOGRAPHER: This begins the
3 videotaped deposition of Dr. Tracy Andrus. We are on
4 the record. The time is 10:34 a.m. central standard
5 time. Today's date is January 23, 2025.

6 Would counsel please introduce
7 yourselves and who you represent after which the court
8 reporter will swear in the witnesses.

9 MR. DOYLE: This is Mike Doyle, I'm
10 here for Ms. Lester.

11 MS. GEZAHAN: Avvennett Gezahan for
12 the defendant.

13 DR. TRACY ANDRUS,
14 Having been first duly sworn, was examined and
15 testified as follows:

16 DIRECT EXAMINATION

17 BY MR. DOYLE:

18 Q. Tell us your name, please, sir?

19 A. Yeah, Tracy Andrus.

20 Q. Dr. Andrus, you're employed at what's now
21 called Wiley University?

22 A. That's correct.

23 Q. And you've been working even when it was
24 Wiley College for some years there?

25 A. Yes, sir.

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1 try to work with other populations -- populations, so
2 that was good for the school.

3 Q. About when did you first bring this Second
4 Chance Pell Program to Wiley?

5 A. We applied in 2016. So it was either 2016 or
6 2017, somewhere around that time.

7 Q. Can you tell us about that process, sir?

8 A. Actually, we completed the paperwork to the
9 U.S. Department of Education, they responded. They
10 sent us a Participant Agreement and we were able to
11 launch our program.

12 Q. And did Wiley actually get paid for that
13 program by the United States Department of Education?

14 A. Well, they -- well -- I'm not going to say
15 the Department of Education. I know wherever --
16 wherever the pell come from, then chances are it does
17 come from the Department of Education, yeah. They were
18 compensated for the work that were doing, correct.

19 Q. Was it financially valuable for Wiley?

20 A. I would say quid pro quo. You know, Wiley
21 was given some and the students were getting some so...

22 Q. Well, you talked about the benefit for the
23 school as part of its mission, the benefit for the
24 students since --

25 A. Excuse me -- let me silence my phone, sir.

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1 from anybody in management finance that Wiley was in
2 anyway not making money on this program from the
3 Federal Government?

4 A. When you say not making -- no, really I'm
5 going to be honest with you, when it comes down to the
6 money, financial aid, that's not what I did.

7 The only connection I had with financial aid
8 with this program, is when we go to the prison we had a
9 representative from financial aid that was there who
10 went over the FAFSA with the students that was going to
11 be enrolled with the program. But as far as how much
12 money they make and who gets what, I don't have nothing
13 to do with that part, at all.

14 Q. Well, that's what I'm asking. Did anybody
15 share with you any concerns this was a money losing
16 proposition for Wiley during the years you were
17 executive director?

18 A. Not to my knowledge, not that I recall.

19 Q. The program contract lasted initially for
20 about how long?

21 A. I say about five years, maybe six.

22 Q. During the entire period you were involved
23 under this contract, did a single manager/officer
24 anyone even whisper that this was a money losing
25 proposition for Wiley?

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1 Q. Under your tenure, what were some of the
2 issues that you saw with the tablets?

3 A. From time to time they lagged. Some of them
4 would actually go out from American Prison Data System.
5 You know they were having connection issues and
6 sometimes when information or content was uploaded on
7 the tablet, sometime it was not placed on there
8 correctly so we had to go back and re-upload. Those
9 were the type of issues that we encountered with the
10 tablets.

11 Q. And how was the process to upload the
12 tablets; how did that work, or upload the course work
13 to tablets --

14 A. The professors were the ones who came up with
15 their particular curriculums for their courses, and
16 then we send those curriculums out to American Prison
17 Data System and there were techs that were assigned
18 from APBS who actually uploaded the content on the
19 tablets based on our forwarding the information to
20 them.

21 Q. Okay. So if there were issues with the
22 course work not being visible on the tablets, was that
23 something Wiley professors needed to fix or the ADPS
24 (sic)?

25 A. The techs needed to fix that.

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1 Q. Okay.

2 A. Our job was to submit the information. The
3 tech's job was to upload.

4 Q. And do you remember when Ms. Lester started
5 with Wiley College?

6 A. I don't remember, no. I don't remember the
7 exact date. No, ma'am.

8 Q. Do you remember if she started exactly when
9 the Second Chance Pell Program started or after the
10 inception of it?

11 A. I think it was a little after.

12 Q. Okay. So what other issues did you have with
13 the tablets during your tenure?

14 A. Those were basically the issues that we
15 encountered because, you know, if a tablet was broke
16 up, wasn't working right, we would contact APBS and
17 they would almost overnight us a new tablet. So
18 students didn't go a long time without their tablet, I
19 can tell you that.

20 Q. And was the issue with the tablets identified
21 by Ms. Lester or did you know about it prior to her
22 even starting with Wiley College?

23 A. Well, some of them I knew about before she
24 came and some of them she told us about because as I
25 stated when we go to a facility that was one of her

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1 jobs was to speak with all of the students that were
2 there and find out what their concerns were.

3 Q. Okay.

4 A. If they reported it, we corrected it.

5 Q. Now, did the issues with the tablets or
6 defective tablets continue under Mr. Read and
7 Dr. Johnson from your knowledge?

8 A. Yes, I'm sure -- yeah. I'm pretty sure that
9 they did because that was something -- and I'm going to
10 say this, this was very minimal. It's not like we had
11 a lot of tablets, maybe five percent or less of the
12 tablets we had issues with. Most of the time they
13 worked exactly like they were supposed to.

14 Q. Okay. And after you left as the executive
15 director for the Second Chance Pell Program, you and
16 Ms. Lester continue still having a good working
17 relationship; is that fair?

18 A. Yes. Yes, ma'am.

19 Q. Not asking in detail, but did you guys have
20 conversations regarding personal matters, any personal
21 matters?

22 A. In what regard, personal?

23 Q. Just anything outside related to work.
24 Conversations outside of -- outside of the scope of
25 your employment?

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1 I, DR. TRACY ANDRUS, have read the foregoing
2 deposition and hereby affix my signature that same is
3 true and correct, except as noted above.

4 _____

5 DR. TRACY ANDRUS

6 STATE OF TEXAS)

7 COUNTY OF _____)

8 Before me, _____, on this day
9 personally appeared DR. TRACY ANDRUS, known to me (or
10 proved to me under oath through _____) to be the
11 person whose name is subscribed to the foregoing
12 instrument and acknowledged to me that they executed
13 the same for the purposes and consideration therein
14 expressed.

15 GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this,
16 _____ day of _____, 2025.

17 _____
18 Notary Public, State of Texas

19 My Commission Expires: _____
20
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25

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2 FOR THE EASTER DISTRICT OF TEXAS
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10 REPORTER'S CERTIFICATE
11 ORAL VIDEOTAPED DEPOSITION OF
12 DR. TRACY ANDRUS
13 JANUARY 23, 2025

14 I, NILDA CODINA, Notary in and for the State of
15 Texas, hereby certify to the following:

16 That the witness, DR. TRACY ANDRUS, was duly sworn
17 by the officer and that the transcript of the oral
18 deposition is a true record of the testimony given by
19 the witness;

20 I further certify that pursuant to FRCP Rule 30
21 (e)(1) that the signature of the deponent:

22 ____X____ was requested by the deponent or a party
23 before the completion of the deposition and returned
24 within 30 days from the date of receipt of the
25 transcript. If returned, the attached Changes and
Signature Page contains any changes and the reason
therefor;

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1 _____ was not requested by the deponent or a
2 party before the completion of the deposition.

3 I further certify that I am neither attorney nor
4 counsel for, related to, nor employed by any of the
5 parties to the action in which this testimony was
6 taken.

7 Further, I am not a relative or employee of any
8 attorney of record in this cause, nor do I have a
9 financial interest in the action.

10 Subscribed and sworn to on this 27th day of
11 January, 2025.

12 /S/ Nilda Codina

13 _____
14 NILDA CODINA
15 Notary in and
16 For the State of Texas
My Commission No. 12878135-3
Expires: 10/24/2027

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